

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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**ABBOTT GMBH & CO., KG; ABBOTT  
BIORESEARCH CENTER, INC.; and  
ABBOTT BIOTECHNOLOGY LTD.,**

**Plaintiffs,**

**v.**

**CENTOCOR ORTHO BIOTECH, INC.,  
and CENTOCOR BIOLOGICS, INC.,**

**Defendants.**

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**Civil Action No.  
09-11340-FDS**

**VERDICT FORM**

Note: *For each question, check "Yes" or "No" with respect to each claim listed below it. By checking "Yes" as to any question, it means that you have found that particular claim is invalid. By checking "No" as to any question, it means that you have found that particular claim valid as to that issue.*

*The term "'128 patent" refers to United States Patent No. 6,914,128. The term "'485 patent" refers to United States Patent No. 7,504,485.*

**Question 1: Written Description**

Do you find that Centocor has proved by clear and convincing evidence that any of the following claims of the '128 patent or the '485 patent are invalid for failing to meet the written-description requirement?

'128 patent, Claim 29:	Yes <u>✓</u> No <u>    </u>
'128 patent, Claim 30:	Yes <u>✓</u> No <u>    </u>
'128 patent, Claim 32:	Yes <u>✓</u> No <u>    </u>
'128 patent, Claim 64 (depending from Claim 29):	Yes <u>✓</u> No <u>    </u>
'485 patent, Claim 11 (depending from Claim 2):	Yes <u>✓</u> No <u>    </u>

**Question 2: Enablement**

Do you find that Centocor has proved by clear and convincing evidence that any of the following claims of the '128 patent or the '485 patent are invalid for failing to meet the enablement requirement?

'128 patent, Claim 29:	Yes <u>✓</u> No <u>    </u>
'128 patent, Claim 30:	Yes <u>✓</u> No <u>    </u>
'128 patent, Claim 32:	Yes <u>✓</u> No <u>    </u>
'128 patent, Claim 64 (depending from Claim 29):	Yes <u>✓</u> No <u>    </u>
'485 patent, Claim 11 (depending from Claim 2):	Yes <u>✓</u> No <u>    </u>

**Question 3: Obviousness**

Do you find that Centocor has proved by clear and convincing evidence that any of the following claims of the '128 patent or the '485 patent are invalid because they are obvious?

'128 patent, Claim 29:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
'128 patent, Claim 30:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
'128 patent, Claim 32:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
'128 patent, Claim 64 (depending from Claim 29):	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
'485 patent, Claim 11 (depending from Claim 2):	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

**Question 4: Anticipation**

Do you find that Centocor has proved by clear and convincing evidence that any of the following claims of the '128 patent or the '485 patent are invalid because the claims were anticipated?

'128 patent, Claim 64 (depending from Claim 29):	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
'485 patent, Claim 11 (depending from Claim 2):	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

**Your deliberations are complete. Please sign and date this form, and notify the court officer.**



Foreperson

9/25/12

Date